

400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: intprop@ssmp.com

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To:	Examiner Musalin B. Hafiz	From:	Leslie S. Szivos
Fax:	(571) 273-8300	Pages:	6 pages including cover sheet
Phone:		Date:	8/29/2005
Re:	U.S. Serial No: 10/710,738 Group Art Unit: 2814 Confirmation No: 4737 Docket No: FIS920040004US1 (17368)	CC:	

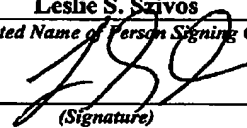
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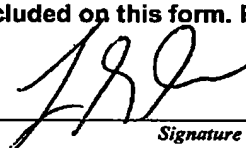
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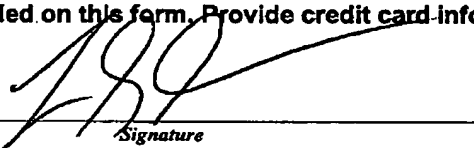
CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Brian Messenger, et al.			FIS920040004US1 (17368)
Application No. 10/710,738	Filing Date July 30, 2004	Examiner Mursalin B. Hafiz	Group Art Unit 2814
Invention: MANUFACTURABLE RECESSED STRAINED RSD STRUCTURE AND PROCESS FOR ADVANCED CMOS			
Confirmation No.: 4737			
<p>I hereby certify that this <u>RESPONSE UNDER 37 C.F.R. §§1.111 AND 1.143</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u>)</p> <p>on <u>August 29, 2005</u> (Date)</p> <p style="text-align: right;"><u>Leslie S. Szivos</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"> (Signature)</p>			
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P18/REV02

AUG 29 2005

TRANSMITTAL LETTER (General - Patent Pending)				Docket No. FIS920040004US1 (17368)	
In Re Application Of: Brian Messenger, et al.					
Application No. 10/710,738	Filing Date July 30, 2004	Examiner Mursalin B. Hafiz	Customer No. 23389	Group Art Unit 2814	Confirmation No. 4737
Title: MANUFACTURABLE RECESSED STRAINED RSD STRUCTURE AND PROCESS FOR ADVANCED CMOS					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is: RESPONSE UNDER 37 C.F.R. §§1.111 AND 1.143					
in the above identified application.					
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 _____ Signature			Dated: August 29, 2005		
Leslie S. Szivos Registration No. 39,394					
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P16A/REV03

TRANSMITTAL LETTER (General - Patent Pending)				Docket No. FIS920040004US1 (17368)	
In Re Application Of: Brian Messenger, et al.					
Application No. 10/710,738	Filing Date July 30, 2004	Examiner Mursalin B. Hafiz	Customer No. 23389	Group Art Unit 2814	Confirmation No. 4737
Title: MANUFACTURABLE RECESSED STRAINED RSD STRUCTURE AND PROCESS FOR ADVANCED CMOS					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is: RESPONSE UNDER 37 C.F.R. §§1.111 AND 1.143					
in the above identified application.					
<input checked="" type="checkbox"/> No additional fee is required.					
<input type="checkbox"/> A check in the amount of _____ is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 09-0458/IBM as described below.					
<input type="checkbox"/> Charge the amount of _____					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional fee required.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ <i>Signature</i>			Dated: August 29, 2005		
Leslie S. Szivos Registration No. 39,394 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343					
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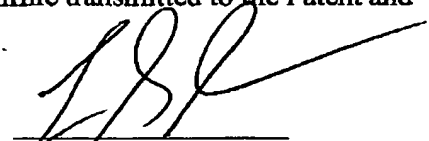
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicant(s):** Brian Messenger, et al.**Examiner:** Mursalin B. Hafiz**Serial No:** 10/710,738**Art Unit:** 2814**Filed:** July 30, 2004**Docket:** FIS920040004US1 (17368)**For:** MANUFACTURABLE RECESSED
STRAINED RSD STRUCTURE AND
PROCESS FOR ADVANCED CMOS**Dated:** August 29, 2005**Confirmation No.:** 4737Mail Stop Amendment
Commissioner for Patents
United States Patent Office
Alexandria, VA 22313-1450**RESPONSE UNDER 37 C.F.R. §§1.111 AND 1.143**

Sir:

In response to the Office Action dated August 4, 2005, applicants provisionally elect, without traverse, the subject matter of Group I, i.e., Claims 1-6 for continued prosecution in the above-identified patent application.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: August 29, 2005

Leslie S. Szivos